



General Assembly

February Session, 2000

Amendment

LCO No. 5239

Offered by:

SEN. PETERS, 20th Dist.

To: Subst. Senate Bill No. 530

File No. 602

Cal. No. 396

***"An Act Concerning The Assessment Of The Personal
Property Of Certain Public Service Companies."***

1 Strike section 3 in its entirety and insert the following in lieu thereof:

2 "Sec. 3. Subdivision (1) of subsection (a) of section 16-247g of the
3 general statutes, as amended by section 11 of public act 99-222, and
4 section 1 of substitute senate bill 326 of the current session, as
5 amended, are repealed and the following is substituted in lieu thereof:

6 (a) (1) Any person may apply to the department for an initial
7 certificate of public convenience and necessity to offer and provide
8 intrastate telecommunications services. Such application shall include
9 such information as the department shall require, and any reasonable
10 fees, not to exceed actual cost, the department may prescribe, in
11 regulations adopted pursuant to chapter 54. The department may issue
12 such certificate and may, as a precondition to certification, require any
13 applicant to procure a performance bond sufficient to cover moneys
14 due or to become due to other telecommunications companies for the
15 provision of access to local telecommunications networks, to protect
16 any advances or deposits it may collect from its customers if the

17 department does not order that such advances or deposits be held in
18 escrow or trust, and to otherwise protect customers. Following receipt
19 of such application, the department shall give [written] notice of such
20 application [not more than thirty days after receipt of such application]
21 to the public and to all interested parties and after such notice may
22 hold a hearing with [written] notice to the public and to all interested
23 parties or, upon request of any party, shall hold a hearing with
24 [written] notice to all interested parties, and shall approve [the
25 application as submitted, modify the application] or deny the
26 application.

27 Sec. 4. Section 20-329 of the general statutes is repealed and the
28 following is substituted in lieu thereof:

29 The provisions of this chapter concerning the licensure of real estate
30 brokers and real estate salespersons shall not apply to: (1) Any person
31 who as owner or lessor performs any of the acts enumerated in section
32 20-311, as amended, with reference to property owned, leased or
33 sought to be acquired or leased by [him] the person, or to [his] the
34 person's regular employees who are employed as on-site residential
35 superintendents or custodians, with respect to the property so owned
36 or leased or sought to be acquired or leased when such acts are
37 performed in the regular course of, or [as an] incident to, the
38 management of such property and the investment therein; (2) any
39 person acting as attorney-in-fact under a duly executed power of
40 attorney from the owner authorizing the final consummation by
41 performance of any contract for the sale, leasing or exchange of real
42 estate, or to service rendered by any attorney-at-law in the
43 performance of [his] the attorney-at-law's duties as such attorney-at-
44 law; (3) a receiver, trustee in bankruptcy, administrator, executor or
45 other fiduciary, while acting as such, or any person selling real estate
46 under order of any court, or to a trustee acting under a trust
47 agreement, deed of trust or will, or the regular salaried employees
48 thereof; (4) witnesses in court as to the values of real estate; (5) persons
49 in the employ of the federal or state government or any political
50 subdivision thereof while acting in the course of such employment; (6)

51 any employee of any nonprofit housing corporation [which] that (A)
52 has been certified as a tax-exempt organization under Section 501(c)(3)
53 of the Internal Revenue Code of 1986, or any subsequent
54 corresponding internal revenue code of the United States, as from time
55 to time amended, and manages a housing project, or (B) manages a
56 housing project assisted in whole or in part by the federal government
57 pursuant to Section 8 of The United States Housing Act of 1937, as
58 from time to time amended, while such employee is performing duties
59 in the regular course of, or incidental to, the management of such
60 housing project; (7) any person licensed as a broker in accordance with
61 sections 36a-510 to 36a-524, inclusive, as amended, who engages solely
62 in the activities described in subsection (6) of section 36a-510, as
63 amended; (8) any person licensed to maintain or operate a mobile
64 manufactured home park under chapter 412 who performs any of the
65 acts enumerated in section 20-311, as amended, with reference to lots
66 or mobile manufactured homes within the park or to [his] the person's
67 employees with respect to lots or mobile manufactured homes within
68 such park when such acts are performed in the regular course of, or
69 incidental to, the management of such property and the investment
70 therein; [or] (9) persons licensed as sellers of mobile manufactured
71 homes under section 21-67; or (10) any person or such person's regular
72 employee who, as owner, lessor, licensor, manager, representative or
73 agent manages, leases, or licenses space on or in a tower, building or
74 other structure for (A) "personal wireless services facilities" or facilities
75 for "private mobile service" as those terms are defined in 47 USC 332,
76 which facilities shall be unattended, and the installation and
77 maintenance of related devices authorized by the Federal
78 Communications Commission, and ancillary equipment used to
79 operate such devices and equipment shelters therefor, in an area not to
80 exceed three hundred sixty square feet for any one service established
81 by the Federal Communications Commission in 47 CFR, as amended
82 from time to time, by a provider of any such service and (B) any right
83 appropriate to access such facilities and connect or use utilities in
84 connection with such facilities.

85 Sec. 5. This act shall take effect from its passage, except sections 2 to
86 4, inclusive, shall take effect October 1, 2000."